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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,276	05/02/2001	Shigehiro Kuge	57454-106	6122

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McDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER

SALIARD, SHANNON S

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,276

Applicant(s)

KUGE, SHIGEHIRO

Examiner

Shannon S. Saliard

Art Unit

3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1-4 and 6-9** are rejected under 35 U.S.C. 102(e) as being anticipated by Baranowski [U.S. Patent No. 6,813,608].

As per claims **1 and 6**, Baranowski discloses a facility administration apparatus arranged in an area having a plurality of facilities collected therein, capable of communicating with a mobile device lent to a facility user via a plurality of relay stations each having a transceiver, and organizing a reservation of each facility as reservation information in response to a request transmitted from said mobile device for a reservation of each facility, comprising: a reservation information master file storing said reservation information for each facility an identifier of said mobile device carried by said facility user having made a reservation, information of a facility reserved by said facility user, and a time at which said facility user desires to use said facility (col 14, lines 9-16 and 58-61); means for referring to said time in said reservation information master file to transmit via said relay station to said mobile device of said facility user a

Art Unit: 3639

predetermined temporal period before said time a notification indicating that said time is approaching; means for receiving an identifier of said relay station having transmitted said notification to said mobile device, and determining from said identifier of said relay station a position of said facility user carrying said mobile device with said user (col 15, lines 32-38); a shortest-route master file previously storing a shortest route from each subarea of said area to each facility; means for determining a shortest route based on said position determined of said facility user, said information stored in said facility reservation master file indicating said facility reserved by said facility user, and said shortest-route master file; and means for transmitting information of said shortest route (col 9, lines 36-58).

As per **claims 2 and 7**, Baranowski further discloses wherein said means for receiving determines as a subarea having said facility user located therein a range surrounded by a plurality of said relay stations having transmitted said notification to said mobile device (col 9, lines 1-10).

As per **claims 3 and 8**, Baranowski discloses a facility administration apparatus arranged in an area having a plurality of facilities collected therein, and connectable via a network to a facility terminal arranged at each facility connectable to a mobile device, comprising: an identifier master file storing an identifier of a mobile device available; means for comparing an identifier of a mobile device transmitted from said mobile device via said facility terminal with said identifier of said mobile device stored in said identifier master file; means for receiving account information from said facility terminal if said identifier of said mobile device transmitted from said mobile device matches said identifier of said

Art Unit: 3639

mobile device stored in said identifier master file; and an account information master file storing said account information for said identifier of each said mobile device (col 14, lines 9-20 and col 8, lines 47-63).

As per **claims 4 and 9**, Baranowski further discloses wherein: said identifier master file further stores an identifier of said facility user carrying said mobile device with said user; said means for comparing compares said identifier of said mobile device and said identifier of said facility user together transmitted from said mobile device via said facility terminal with said identifier of said mobile device and said identifier of said facility user together stored in said identifier master file; and if said identifier of said mobile device and said identifier of said facility user together transmitted from said mobile device match said identifier of said mobile device and said identifier of said facility user together stored in said identifier master file, said facility administration apparatus receives account information transmitted from said facility terminal (col 14, lines 9-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3639

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

2. **Claims 5 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baranowski [U.S. Patent No. 6,813,608].

As per **claims 5 and 10**, Baranowski discloses all the limitations of claims 1-4 and 6-9. Baranowski does not explicitly disclose wherein said identifier master file further imposes a period of validity on said identifier of said facility user carrying said mobile device with said user. However, Baranowski discloses that the host computer will allow the user to identify himself with a user identification to able to access account information (col 13, lines 66-67; col 14, lines 16). Therefore, it would have obvious to one of ordinary skill in the art at the time of the invention to allow the user's password to expire after a predetermined period of time so that another operator on the same mobile device would not be able to access the previous user's account information.

Art Unit: 3639

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chuang [U.S. Patent No. 5,987,421] discloses a "Computerized System and Method for Locating Individual Members of Discrete Groups and for Electronically Registering and Holding the Groups Position in Waiting Lines." Sim [U.S. Patent No. 6,529,786] discloses a "Queue Management System". Waytena et al [U.S. Patent No. 5,978,770] discloses a system and method for "Assigning and Managing Patron Reservations for Distributed Services Using Wireless Personal Communication Devices."

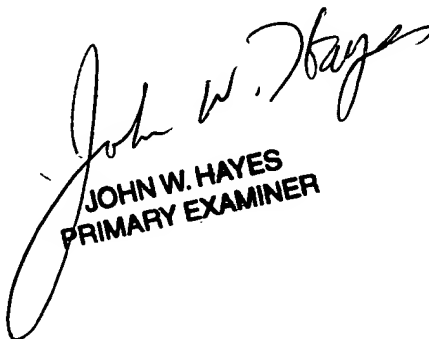
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3639

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SSS



JOHN W. HAYES
PRIMARY EXAMINER